

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

SCOTT DONALD WEILE,

Civil No. 08-6216 (JRT/JJK)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

MICHAEL MUKASEY, *et al.*

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated January 6, 2009. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

IT IS HEREBY ORDERED that:

1. Plaintiff's Application to Proceed Without Prepayment of Fees [Docket No. 3], is **DENIED**; and
2. This action is **DISMISSED WITHOUT PREJUDICE**.

DATED: January 26, 2009
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge